



PATENT

Attorney Docket No. 01165.0965

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
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Yosuke ANDO et al.) Group Art Unit: 3724
)
Application No.: 10/594,743) Examiner: Swinney, Jennifer B.
)
Filed: September 29, 2006)
)
For: MATERIAL GUIDE DEVICE AND) Confirmation No.: 4935
AUTOMATIC LATHE)

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR RECONSIDERATION

In reply to the August 10, 2009 Office Action¹, applicants note that the Examiner:

- Rejected claims 1-19 under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent Application No. 09-225702 to Tajima et al. ("Tajima") in view of U.S. Patent No. 5,186,567 to Evenson et al. ("Evenson").

Claims 1-19 remain pending.

Rejection under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claims 1-19 under 35 U.S.C. § 103(a) as being unpatentable over Tajima in view of Evenson because a prima facie case of obviousness has not been established with respect to these claims.

¹ The Office Action contains a number of statements reflecting characterization of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.